

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 14

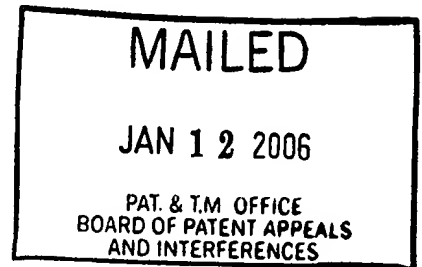
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT DAVID PIOTROWSKI, MOLLY CHRISTINE FINDLEY,
CARYN MARIE CRAWFORD and MICHELLE CAROLYN FABER

Appeal No. 2004-1411
Application 09/804,819

ORDER REMANDING TO THE EXAMINER



Before FLEMING, Chief Administrative Patent Judge, HARKCOM, Vice Chief Administrative Patent Judge, and MACDONALD, Administrative Patent Judge.

PER CURIAM

On consideration of the record, we note that the appeal includes rejections under 35 U.S.C. § 101 involving the statutory nature of at least some of the claims on appeal. We further note that the evaluation of such claims could possibly be affected by the Commissioner of Patent and Trademarks' published final version of the "Interim

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Guidelines for Examination of Patent Application for Patent Subject Matter Eligibility”, signed October 26, 2005. This document is located at the following URL:
http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf.

Thus, we hereby remand this application for reconsideration in view of the "Guidelines" cited above, and for any other action that the examiner deems appropriate.

REMANDED


MICHAEL R. FLEMING, Chief
Administrative Patent Judge


GARY V. HARKCOM, Vice Chief
Administrative Patent Judge


ALLEN R. MACDONALD
Administrative Patent Judge

BOARD OF PATENT APPEALS AND INTERFERENCES

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